

ATTACHMENT

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7 IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
8 IN AND FOR KING COUNTY

9 MATTHEW DEDERING, as an individual
10 and as a representative of the class,

11 Plaintiff,

12 No. 15-2-20646-0 SEA

13 **SUMMONS (20 DAY)**

14 v.

15 FIRST ADVANTAGE LNS SCREENING
16 SOLUTIONS, INC.,

17 Defendant.

18 TO: FIRST ADVANTAGE LNS SCREENING SOLUTIONS, INC.

19 A lawsuit has been started against you in the above-entitled court by the above-named
20 Plaintiff. Plaintiff's claims are stated in the written Complaint, a copy of which is served upon
you with this Summons.

21 In order to defend against this lawsuit, you must respond to the Complaint by stating
22 your defense in writing, and serve a copy upon the undersigned attorneys for Plaintiff within
23 twenty (20) days after the service of this Summons, excluding the day of service. If you do not
24 respond, a default judgment may be entered against you without notice. A default judgment is
25 one in which Plaintiff is entitled to what they ask for because you have not responded. If you
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1 serve a notice of appearance on the undersigned attorneys, you are entitled to notice before a
2 default judgment may be entered.

You may demand that Plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon Plaintiff. Within fourteen (14) days after you serve the demand, Plaintiff must file this lawsuit with the court, or the service on you of this Summons and Complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly
so that your written response, if any, may be served on time.

9 This Summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the
10 State of Washington.

DATED this 24th day of August, 2015.

**TERRELL MARSHALL DAUDT
& WILLIE PLLC**

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7 IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
8 IN AND FOR KING COUNTY

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MATTHEW DEDERING, as an individual
and as a representative of the class,

No. 15-2-20646-0 SEA

Plaintiff,

COMPLAINT – CLASS ACTION

v.

FIRST ADVANTAGE LNS SCREENING
SOLUTIONS, INC.,

Defendant.

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Plaintiff Matthew Dedering (“Dedering” or “Plaintiff”), by and through his undersigned counsel, respectfully files this Class Action Complaint on behalf of himself and a class of similarly situated individuals. Defendant First Advantage LNS Screening Solutions, Inc. (“First Advantage” or “Defendant”) produced consumer reports on Plaintiff and the proposed class that contained inaccurate and incomplete information. Plaintiff bases his allegations herein upon his personal knowledge and the investigation of his counsel.

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I. GENERAL ALLEGATIONS

1. One in four Americans has a criminal history, and many employers require job applicants to complete a background check successfully prior to extending an offer of employment. Employers may also conduct background checks on current employees. In

1 addition; criminal history older than seven years and juvenile criminal history are not accurate
2 predictors of an individual's likelihood to commit future crime. Compilation and commercial
3 reporting of such criminal information is an unfair practice that undermines consumer
4 confidentiality and privacy.

5 2. Companies that provide background check services collect information
6 concerning members of the public, such as criminal histories, into reports and offer the reports
7 for sale, including for sale to employers when the employers are conducting background checks
8 on prospective and current employees.

9 3. Defendant provides such services. Defendant offers background reports that
10 include criminal histories for sale to employers.

11 4. Because an employer's hiring decisions often depend on the applicant being
12 either completely free of criminal convictions or free of criminal convictions within a certain
13 period of time, it is extremely important that the information contained in criminal history
14 reports be thoroughly accurate.

15 5. Defendant's criminal history reports (hereinafter "Criminal History Reports")
16 that include one or more criminal convictions are misleading and inaccurate because they omit
17 the conviction date and instead include another date (labeled merely "Date" on the report) that
18 Defendant presents in a fashion that suggests the "Date" is actually a conviction date.

19 6. Defendant's misleading and inaccurate Criminal History Reports result in
20 adverse employment decisions by Employers against qualified employees.

21 7. Specifically, in the section of Defendant's Criminal History Reports that
22 provides information concerning criminal convictions, Defendant provides the information
23 using the following labels and in the following order:

24 Case Reference#
25 Case Date
26 Name on File
27 DoB on File

1 Charge

2 Charge Type

3 Disposition

4 Date

5 Sentence

6 8. As the preceding paragraph shows, Defendant's Criminal History Reports
7 provide several dates in connection with information concerning a criminal conviction,
8 including dates labeled "Case Date" and "Date."

9 9. The "Case Date" is always earlier in time than the "Date."

10 10. Because Defendant presents the "Case Date" just below the "Case Reference #,"
11 employers do not likely infer that the "Case Date" is a conviction date.

12 11. Because Defendant presents the "Date" just after information concerning the
13 subject's "Charge," "Charge Type," and the charge's "Disposition" and just before the subject's
14 "Sentence," and because the "Date" is always later in time than the "Case Date," employers
15 very likely reasonably infer that the information Defendant labels as "Date" is a conviction date.

16 12. However, the information that Defendant labels as "Date" is not a conviction
17 date. The information labelled as "Date" is unrelated to the conviction date and is often years
18 after the actual date of conviction.

19 13. Thus, Defendant presents the criminal history information in its Criminal History
20 Reports in a manner that misleads employers and, consequently, injures prospective and current
21 employees.

22 14. A reasonably prudent person in Defendant's position would not use the
23 ambiguous label "Date" to identify an unspecified event in someone's criminal record,
24 especially when presenting the "Date" information immediately after information concerning
25 the subject's "Charge," "Charge Type," and "Disposition" and immediately before information
26 concerning the subject's "Sentence." Instead of using the label "Date," a reasonably prudent
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1 person would use a more specific label to indicate to which event in the criminal record the
2 “Date” field refers or would omit the “Date” field altogether.

3 15. Information that would clarify Defendant’s misleading Criminal History Reports
4 is easily available. Indeed, Defendant already has more specific information regarding criminal
5 records in its databases that could clarify the information labelled as “Date.” Including this
6 easily accessible information in the Criminal History Reports would impose little to no cost on
7 Defendant.

8 16. By contrast, the injuries prospective and current employees suffer on account of
9 Defendant’s misleading Criminal History Reports are significant. Among other things,
10 employees can lose their jobs, can lose wages to which they would otherwise be entitled, and
11 can suffer emotional distress, mental anguish, loss of enjoyment of life, embarrassment, and
12 humiliation.

13 17. Further, misrepresenting the conviction date as more recent than it is causes
14 harm because certain items of criminal history that would otherwise be too old to be reported
15 are nevertheless reported due to the inaccurate date.

16 18. For example, under Washington law, consumer reporting agencies are not
17 permitted to report juvenile records related to adult consumers. RCW 19.182.040(1)(f).

18 19. As explained below, the misreported date can cause juvenile convictions to be
19 reported even when the conviction should not have been reported under Washington law.

20 20. Defendant has injured Plaintiff and Class members by providing their respective
21 employers with misleading and inaccurate Criminal History Reports.

22 21. Defendant systematically violates the Fair Credit Reporting Act, 15 U.S.C. §
23 1681, *et seq.* (the “FCRA”).

24 22. Plaintiff seeks redress on behalf of all persons who have suffered due to
25 Defendant’s misleading and inaccurate criminal background reporting practices.

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II. JURISDICTION AND VENUE

23. This Court has jurisdiction over all causes of action asserted herein under RCW
2.08.010.

24. The Court has jurisdiction over Defendant pursuant to RCW 4.28.185 because Defendant transacted business in the State of Washington.

25. Venue is proper in this Court because Defendant transacts business in King County and therefore resides in King County. Defendant provides background screening services for many retail companies that operate in King County, including Target and Best Buy.

26. This action is timely filed within the limits prescribed by all applicable statutes of limitation and repose.

III. PARTIES

27. Plaintiff Matthew Dedering is a natural person who resides in Puyallup, Washington. Dedering is a consumer within the meaning of the FCRA. See 15 U.S.C. § 1681a(c).

28. First Advantage is a consumer reporting agency headquartered in Atlanta, Georgia, that provides more than 54 million background checks annually and has over 350 million criminal records as part of its database.

<http://www.fadv.com/Portals/0/Downloads/infographics/FADV-OurStory-Infographic-v12-041715.pdf>.

IV. PLAINTIFF DEDERING'S REPORT

29. In August 2013, Mr. Dederling applied for a retail job with Best Buy in Puyallup, Washington.

30. In September 2013, Best Buy procured a Criminal History Report from Defendant. The report is attached as Exhibit A.

31. The information Defendant provided in the Criminal History Report was inaccurate and incomplete.

1 32. Specifically, Defendant provided to Best Buy the following information
2 concerning Mr. Dederding's two convictions:

3 a. Case Reference # 988013629
4 Case Date 04/02/1998
5 Name on File Matthew Dederding
6 DoB on File [omitted]
7 Charge POSSESSION OF STOLEN PROPERTY 1ST
8 Charge Type FELONY
9 Disposition GUILTY
10 Date 8/26/2008
11 Sentence PROBATION 6 MONTHS
12 b. Case Reference # 988015141
13 Case Date 04/22/1998
14 Name on File Matthew Dederding
15 DoB on File [omitted]
16 Charge BURGLARY 2ND
17 Charge Type FELONY
18 Disposition GUILTY
19 Date 8/26/2008
20 Sentence RESTITUTION 1100; PROBATION 3
21 MONTHS; COMMUNITY SERVICE 20 HOURS
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23 33. Due to the ambiguous "Date" label, Defendant's report misleadingly and
24 inaccurately indicated that Dederding was convicted of two felonies on August 26, 2008.
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1 34. In fact, Dedering was not convicted on August 26, 2008. Instead, the disposition
 2 orders in his cases were entered on August 26, **1998**, and an amended disposition order was
 3 entered in Case No. 988015141 on August 2, **1999**.

4 35. Defendant's Criminal History Report does not include Mr. Dedering's actual
 5 conviction dates, but instead misleadingly and inaccurately indicated that August 26, 2008 was
 6 the conviction dates for both cases.

7 36. The misleading and inaccurate Criminal History Report Defendant provided to
 8 Best Buy prevented Mr. Dedering from passing Best Buy's background check.

9 37. As part of its services for Best Buy, Defendant not only generates Criminal
 10 History Reports, but also "adjudicates" job applicants based on those reports and a list of hiring
 11 criteria provided by Best Buy.

12 38. Defendant applies different labels, "Eligible" or "Ineligible," to prospective job
 13 applicants. These labels reflect Defendant's determination as to whether the consumer who is
 14 the subject of the Criminal History Report satisfies the employer's pre-established hiring
 15 criteria.

16 39. When a consumer is labeled as "Ineligible," Defendant also labels as
 17 "Decisional" the section of its report which was the basis for the "Ineligibility" rating.

18 40. Defendant adjudicated Mr. Dedering as "Ineligible." Per the report, the only
 19 section of Mr. Dedering's report that was flagged as "Decisional" was the section of
 20 Defendant's report titled "Felony Including Misdemeanor PUYALLUP, PIERCE, WA." The
 21 only criminal history included under that heading were the two convictions listed above.

22 41. The "Search Period" for that search was a seven-year search from 8/16/2006-
 23 8/16/2013.

24 42. When Plaintiff requested a copy of his consumer file from Defendant in March
 25 of 2015, Defendant produced a new report for Plaintiff that had a category title of "Disposition
 26 Date." For both of his convictions, Defendant provided the "Disposition Date" as August, 26,
 27 2008. *See Exhibit B.*

1 43. When Plaintiff requested a copy of his consumer file from Defendant in March
2 of 2015, Defendant's response did not include any copies of any original court records
3 regarding Plaintiff. *See Exhibit B.*

4 44. If Defendant had listed the correct disposition dates of 1998 and 1999, rather
5 than the incorrect August 26, 2008 disposition dates, those convictions would have never
6 appeared in Mr. Dedering's Criminal History Report for Best Buy because they would have
7 been outside the search period.

8 45. If Defendant had listed the correct disposition dates of 1998 and 1999, rather
9 than the incorrect August 26, 2008 disposition dates, Defendant would have adjudicated Mr.
10 Dedering as "Eligible" for the job at Best Buy.

11 46. In addition, the Criminal History Report contained information about Dedering's
12 juvenile criminal conviction history in violation of Washington law. *See RCW 19.182.040*
13 (forbidding reporting of juvenile convictions).

14 47. Plaintiff's date of birth was known to Defendant when it published its Criminal
15 History Report to Best Buy. The Criminal History Report to Best Buy included both the month
16 and date of Defendant's birth, but did not show the year of his birth, instead representing it as
17 "XXXX."

18 48. Because Defendant knew Plaintiff's date of birth, Defendant was aware that
19 Plaintiff was fourteen years old in April 1998 and sixteen years old in August 1999, the correct
20 disposition dates for the convictions listed in Defendant's report. Defendant was also aware
21 that Plaintiff was over the age of twenty-one when Defendant supplied Plaintiff's Criminal
22 History Report to Best Buy.

23 49. Pursuant to Washington law, a person under the age of eighteen (18) who
24 commits a criminal offense is considered a juvenile, and any juvenile record may not be
25 included in a consumer report. *See RCW 13.04.011(2)* (defining juvenile as a person under the
26 age of eighteen); *RCW 19.182.040(f)* (forbidding inclusion of juvenile records in reports
27 produced after the consumer has reached the age of twenty-one).

1 50. If Defendant had omitted juvenile convictions from its Criminal History Reports,
2 as required by law, Defendant would have adjudicated Mr. Dederer as "Eligible" for the job at
3 Best Buy.

4 51. In 2007, Defendant issued a Criminal History Report on Mr. Dederer for
5 another employer. Notably, that Criminal History Report did not include Mr. Dederer's
6 juvenile convictions. *See Exhibit C.*

7 52. Defendant excluded the juvenile convictions from its 2007 Criminal History
8 Report because Defendant realized those convictions were too old to be reported without
9 violating RCW 19.182.040 and because those convictions were for offenses committed when
10 Mr. Dederer was a juvenile.

11 53. Defendant therefore knew that the disposition dates for Mr. Dederer's juvenile
12 convictions were incorrect on the 2013 Criminal History Report it issued to Best Buy.
13 Defendant was also on notice that it was reporting juvenile convictions.

14 54. Yet Defendant failed to have any quality control systems in place that flagged its
15 2013 report for additional review based on the fact that it included convictions which were not
16 included on a previous report and which dated back to a time when Dederer was under the age
17 of eighteen.

18 55. Defendant's conduct violated the law.

19 56. The FCRA requires that consumer reporting agencies "follow reasonable
20 procedures to assure maximum possible accuracy" in their reports. 15 U.S.C. § 1681e(b); RCW
21 19.182.060(2).

22 57. Defendant failed to maintain reasonable procedures to ensure Dederer's
23 Criminal History Report was accurate, and further failed to maintain reasonable procedures to
24 ensure juvenile records were not included in his Criminal History Report.

25 58. Defendant provided Best Buy with a copy of the consumer report it made in
26 relation to Plaintiff.

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59. Best Buy denied Plaintiff's application for employment as a result of the convictions listed in the consumer report that Defendant made about Plaintiff.

60. Defendant's conduct actually and proximately caused Mr. Dederer to suffer injury and damages in his business or property, including but not limited to lost wages and emotional distress.

V. CLASS ACTION ALLEGATIONS

⁶¹ Unfortunately, Dedering's experience with Defendant is not isolated.

62. During the two-year period preceding the filing of this Complaint, Defendant has routinely reported inaccurate disposition dates for criminal offenses. At least two other individuals have filed lawsuits against Defendant based on the same allegations as those present here, namely that Defendant routinely and systematically includes a date in the "Date" field of its Criminal History Reports that does not match the actual date of conviction. *See Jamon Bolton & Christopher Staples v. First Advantage LNS Screening Solutions, Inc.*, No. 1:14-cv-5735 (S.D.N.Y.).

63. Defendant routinely bases its decisions about whether a given conviction is a juvenile conviction on information in the "Date" field. When information in the Date field is wrong, then so too is Defendant's determination about the age of the conviction.

64. By presenting the criminal history information in its Criminal History Reports in a manner that misleads employers and which routinely makes criminal convictions appear more recent than they actually are, Defendant's reporting practices injure prospective and current employees.

65. By presenting criminal history information in its Criminal History Reports about juvenile convictions, Defendant's reporting practices injure prospective and current employees.

66. The injuries prospective and current employees suffer on account of Defendant's misleading, inaccurate, and illegal Criminal History Reports are significant: among other things, job applicants may be denied employment and employees can lose their jobs, thereby losing wages to which they would otherwise be entitled.

1 67. It is unreasonable for Defendant to continue to incorrectly report conviction
2 dates.

3 68. One example of Defendant's unreasonable procedures is its failure to exert
4 quality control and correct records when a new Criminal History Report includes information
5 about a criminal case that was excluded from a previous report.

6 69. Defendant elected not to have better quality control procedures in order to
7 maximize its profits, choosing to forego the expense of quality control procedures like those
8 outlined herein. Defendant made this decision despite being on notice that its routine procedures
9 rendered its Criminal History Reports inaccurate.

10 70. Plaintiff asserts his claim on behalf of the proposed Class defined as follows:

11 All consumers who at any time during the applicable limitations
12 period were the subject of a consumer report issued by Defendant
13 to a user who certified that it would be used for employment
14 purposes in which Defendant omitted the date of the consumer's
conviction(s) and yet included information labeled "Date" that
was not the date of the consumers' conviction(s).

15 71. Excluded from the Class are officers and directors of Defendant; members of the
16 immediate families of the officers and directors of Defendant; their legal representatives, heirs,
17 successors, or assigns; and any entity in which they have or have had a controlling interest. Also
18 excluded are the judge to whom this case is assigned and any member of the judge's immediate
19 family.

20 Numerosity

21 72. At this time, Plaintiff does not know the exact number of members of the Class;
22 however, given the nature of the claims and Defendant's widespread provision of Criminal
23 History Reports to current and prospective employers, the members of the Class are so
24 numerous that joinder of them is impracticable.

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1 **Commonality**

2 73. There is a well-defined community of interest in the questions of law and fact
3 involved in this case. These questions include but are not limited to the following:

- 4 a. whether Defendant furnishes misleading and inaccurate Criminal History
5 Reports to employers concerning prospective and current employees;
- 6 b. whether Defendant uses reasonable procedures to assure maximum
7 possible accuracy of the Criminal History Reports it furnishes to employers;
- 8 c. whether Defendant has engaged in a common course of omitting accurate
9 conviction dates from its Criminal History Reports; and
- 10 d. whether Defendant's FCRA violations were willful, and/or negligent.

11 **Typicality**

12 74. Plaintiff's claims are typical of the claims of the Class. Plaintiff and Class
13 members were each the subject of one of Defendant's misleading and inaccurate Criminal
14 History Reports. Thus, Plaintiff's claims, like the claims of the Class, arise out of the same
15 common practices of conduct by Defendant and are based on the same legal and remedial
16 theories.

17 **Adequacy**

18 75. Plaintiff will fairly and adequately protect the interests of the Class and have
19 retained counsel who are experienced in litigating complex class actions. Plaintiff has no
20 interests that conflict with those of the Class members.

21 **Predominance and Superiority**

22 76. The Class meets the requirements for certification to seek monetary relief under
23 Civil Rule 23(b)(3), as the questions of law or fact common to Class members predominate over
24 questions affecting only individual members, and a class action is superior to other available
25 methods for fairly and efficiently adjudicating the controversy. Additionally, individual actions
26 may be dispositive of the interests of the Class even though certain members of the Class are

1 not parties to such actions. Further, a class action is superior to other available methods for the
2 fair and efficient adjudication of the controversy, for at least the following reasons:

3 a. Absent a class action, Class members as a practical matter will be unable
4 to obtain redress; Defendant's violations will continue without remedy; and additional
5 consumers will be harmed.

b. It would be a substantial hardship for most individual members of the
Class if they were forced to prosecute individual actions.

8 c. A class action will permit an orderly and expeditious administration of
9 Class claims and foster economies of time, effort, and expense.

10 d. The lawsuit presents no difficulties that would impede its management by
11 the Court as a class action.

12 e. Defendant has acted on grounds generally applicable to Class members,
13 making Class-wide relief appropriate.

VI. CAUSE OF ACTION

(Violation of the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*)
(Violation of 15 U.S.C. § 1681e(b))

17 77. Plaintiff re-alleges and incorporates the allegations in paragraphs 1-76 as if fully
18 set forth herein.

19 78. Plaintiff brings this claim on behalf of himself and on behalf of the FCRA Class
20 members, under the FCRA for violation of 15 U.S.C. § 1681e(b).

21 79. In the “Congressional findings and statement of purpose” of the FCRA, Congress
22 stated that “[c]onsumer reporting agencies have assumed a vital role in assembling and
23 evaluating consumer credit and other information on consumers” and “[t]here is a need to
24 ensure that consumer reporting agencies exercise their grave responsibilities with fairness,
25 impartiality, and a respect for the consumer’s right to privacy.” 15 U.S.C. § 1681(a)(3), (4).

1 80. Plaintiffs and Class members are “consumers” under the FCRA because Plaintiff
2 and Class members are individuals. *See* 15 U.S.C. § 1681a(c) (“The term ‘consumer’ means an
3 individual.”).

4 81. The FCRA applies to Defendant because it is a “person” and a “consumer
5 reporting agency” under the statute, and its Criminal History Reports are “consumer reports”
6 under the statute. *Id.* § 1681a(b), (d)(1), (f).

7 82. Indeed, Defendant has admitted the FCRA applies to the Criminal History
8 Reports it issued to Plaintiff because each such report includes, *inter alia*, a copy of Plaintiff’s
9 rights under the FCRA.

10 83. Under the FCRA, a “person” is an “individual, partnership, corporation, trust,
11 estate, cooperative, association, government or governmental subdivision or agency, or other
12 entity.” *Id.* § 1681a(b).

13 84. Defendant is a corporation and, consequently, it is a “person” under the FCRA.

14 85. Under the FCRA, a “consumer reporting agency” is a “person which, for
15 monetary fees . . . regularly engages . . . in part in the practice of assembling or evaluating . . .
16 information on consumers for the purpose of furnishing consumer reports to third parties, and
17 which uses any means or facility of interstate commerce for the purpose of preparing or
18 furnishing consumer reports.” 15 U.S.C. § 1681a(f).

19 86. Defendant is a “consumer reporting agency” under the FCRA because, for
20 monetary fees, it assembles or evaluates information on consumers for the purpose of furnishing
21 Criminal History Reports to third parties (*i.e.*, the consumers’ current or prospective
22 employers), and because Defendant uses means or facilities of interstate commerce for the
23 purpose of preparing or furnishing the Criminal History Reports. *Id.*

24 87. Defendant’s Criminal History Reports are “consumer reports” under the FCRA
25 because each Criminal History Report is a “written . . . communication of . . . information by a
26 consumer reporting agency bearing on a consumer’s . . . character, general reputation, personal
27 characteristics, or mode of living which is used or expected to be used or collected in whole or

1 in part for the purpose of serving as a factor in establishing the consumer's eligibility for . . .
2 employment purposes[.]” *Id.* § 1681a(d)(1)(B).

3 88. As part of its service agreement with its customers, Defendant requires that its
4 customers contact Defendant to invoke special procedures for preparation and use of a Criminal
5 History Report in the case of suspected misconduct or violation of state, federal, or local law.
6 Plaintiff's Criminal History Reports was not procured using these special procedures.

7 89. Plaintiff's report was not procured in connection with any investigation of
8 suspected misconduct relating to employment or to compliance with state, federal, or local laws
9 and regulations, the rules of a self-regulatory organization, or any preexisting written policies of
10 the employer.

11 90. Section 1681e(b) of the FCRA provides:

12 Whenever a consumer reporting agency prepares a consumer
13 report it shall follow reasonable procedures to assure maximum
14 possible accuracy of the information concerning the individual
about whom the report relates.

15 91. Under FCRA Section 1681e(b), First Advantage has a duty to “follow reasonable
16 procedures to assure maximum possible accuracy of the information” in its Criminal History
17 Reports. *Id.* § 1681e(b).

18 92. As set forth above, when preparing the Criminal History Reports, which are
19 consumer reports, Defendant has lacked, and continues to lack, reasonable procedures to assure
20 the maximum possible accuracy of the information contained in the Criminal History Reports.
21 Defendant fails to follow such reasonable procedures because it knowingly, recklessly, and
22 negligently omits the conviction dates from the Criminal History Reports. Instead, Defendant
23 includes information labeled merely “Date” that its customers very likely reasonably infer is a
24 conviction date.

25 93. Defendant's liability to Plaintiff and the FCRA Class members arose from the
26 same unlawful policies, practices, or procedures. In particular, Defendant failed to employ
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1 reasonable procedures to ensure maximum possible accuracy of the information in the consumer
2 reports in question.

3 94. Defendant's violations of Section 1681e(b) were also willful in that (i) it knew,
4 or reasonably should have known, that it was failing to comply with the FCRA and/or (ii) it was
5 acting in reckless disregard of its responsibilities under the FCRA.

6 95. As a result of Defendant's unlawful actions and pursuant to Section 1681n and
7 1681o, Plaintiff and each Class member are entitled to any actual damages they sustained or
8 damages of not less than \$100 and not more than \$1,000; such amount of punitive damages as
9 the court may allow; and the costs of the action together with reasonable attorney's fees as
10 determined by the court. *See* Section 1681n(a)(1)(A), (2), and (3); and Section 1681o(a)(1), (2).

11 96. The above-described willful and negligent violations present an ongoing threat to
12 the FCRA Class.

VII. PRAYER FOR RELIEF

14 WHEREFORE, Plaintiff respectfully requests that the Court enter judgment against
15 Defendant as follows:

16 A. An Order certifying the proposed Class under Civil Rule 23(b)(3) and appointing
17 Plaintiff as class representative and his counsel as class counsel, as soon as practicable;

18 B. An Order declaring that Defendant is financially responsible for notifying Class
19 members of the pendency of this suit;

20 C. An Order declaring that Defendant has committed the violations of law alleged
21 herein:

D. An Order providing for any and all injunctive relief the Court deems appropriate;

²³ E.g., An Order awarding statutory damages in the maximum amount the law allows;

³⁴ See, e.g., *A. Gobat*, “online reputational damages, including but not limited to any

25 compensatory, incidental, or consequential damages in an amount to be determined by the Court
26 or jury;

G. An Order awarding punitive damages in accordance with proof and in an amount consistent with applicable precedent;

H. An Order awarding interest at the maximum allowable legal rate on the foregoing sums;

I. An Order awarding Plaintiff his reasonable costs and expenses of suit, including attorneys' fees; and

J. Such further relief as this Court may deem just and proper.

RESPECTFULLY SUBMITTED AND DATED this 24th day of August, 2015.

**TERRELL MARSHALL DAUDT
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11 *Attorneys for Plaintiff and Proposed Class*

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TERRELL MARSHALL DAUDT & WILLIE PLLC
936 N 34th St, Suite 300
Seattle WA 98103
TEL. 206-816-6603 • FAX 206-350-3528

EXHIBIT A

MATTHEW DEDERING

Background Report

Confidential

MATTHEW DEDERING

CID - [REDACTED]

BEST BUY
7601 PENN AVE S
MINNEAPOLIS, MN 55432-5004

Caution to Customer: Under the terms of our service agreement, this report is submitted with the understanding that it is to be held in strict confidence and to be used Only for the purpose indicated in the Customer's agreement for service, i.e. to determine eligibility for Employment / Volunteer / Government benefits / etc. If the Client Representative intends to take adverse action based in whole or in part on the contents of this report, the Customer Representative must provide the consumer with a copy of the report and a summary of consumer rights as prescribed by FCRA section 1681g(c)(3). First Advantage has provided your company with copies of the consumer rights statements for this purpose. In addition, remember the pre- and post-notification requirements and Consumer authorization prescribed by FCRA section 1681b and section 1681m.

If you are a First Advantage Consumer

Please contact the First Advantage Consumer Center at:

1-800-845-6004 Toll Free (within the U.S.)
+1 678-694-2530 Toll Number (outside the U.S.)

First Advantage Customers

Please contact the CHARLOTTE EMPLOYMENT SERVICE CENTER at:

866-221-6684



Enterprise Advantage

General Consumer Information

Consumer's Name **MATTHEW DEDERING**

Cost Center **120002991992100**

Client Name **BEST BUY**

Requestor Name **2700B3**

The following consumer information was used in the production of this report:

Last Name, First Name, Middle Name, SSN, Date of Birth, Address

SSN **[REDACTED]**

Address **[REDACTED]**

PUYALLUP, WA **[REDACTED]**

Date of Birth **[REDACTED] XXXX**

Consumer Contact **[REDACTED]**

Consumer Alternate Contact

Other Names

Not Provided

Information Regarding this Order:

Position Applied For 84200BR	Date Ordered Aug 30, 2013 12:36:51 PM																																																																										
Background Check Sep 06, 2013 03:03:05 PM	Report Last Updated on Sep 06, 2013 03:03:05 PM																																																																										
Completion Date																																																																											
Date Report Printed Mar 25, 2015 05:46:45 PM																																																																											
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Date Issued BETWEEN XXXX-1984	Reported Deceased? No
Disclaimer	
The results of the Social Security Number Validation do not provide a verification that the Social Security Number belongs to the Consumer of this report.	

First Advantage National Criminal File Plus PUYALLUP, PIERCE, WA		Status: Complete
		Score: Eligible
Record Source	DATABASE SEARCH (XDB) - WA AOC COURTS OF LIMITED - ENUMCLAW MUNICIPAL COURT	
Search Results	Record Found	
Search Type	First Advantage National Criminal File Plus Search	
Type of Search	First Advantage National Criminal File Plus	
Date of Search	08/30/2013	
Address Covered	[REDACTED]	
Address City Covered	PUYALLUP	
Address County Covered	PIERCE	
Address State Covered	WA	
Address Zip	[REDACTED]	
Location	CITY OF MAPLE VALLEY, WA CITY OF MAPLE VALLEY COUNTY	
Given Name Searched	MATTHEW DEDERING	
Developed Name Searched	MATTHEW I DEDERING, MATTHEW I DEDERINE, MATTHEW INA DEDERING, MATTHEW IAN DEDERING, MATT DEDERING	

Full matched by the following Identifiers: Last Name, First Name, Middle Name, DOB

Case Reference #	52404MV
Case Date	09/03/2009
Name on File	MATTHEW IAN DEDERING
DoB on File	[REDACTED] XXXX
Charge	OPERATOR VEHICLE WITHOUT IGNITION INTERLOCK
Charge Type	MISDEMEANOR
Disposition	GUILTY
Date	01/13/2010
Sentence	FINED \$1000.00, SUSPENDED \$800.00; JAIL 90 DAYS, SUSPENDED 88 DAYS
Current as of Date	06/30/2013

Disclaimer

The following notice is provided as required under the Office of the Administrator for the Courts of Washington State for database (NCRF) records. The information or data provided is based on information obtained from the courts as of the period of time covered by the update. The Office of the Administrator for the Courts of the Washington Courts: (1) Do not

warrant that the information is accurate or complete (except for court purposes); 2) Make no representations regarding the identity of any persons whose names appear in the index; and 3) deny liability for any damages resulting from the release or use of the data. To verify the information, the user should personally consult the "official" record keeping at the court of record.

Felony Including Misdemeanor PUYALLUP, PIERCE, WA		Status: Complete
		Score: Decisional
Record Source	PIERCE SUPERIOR COURT	
Search Results	Record Found	
Search Type	FELONY INDEX SEARCH INCLUDE MISDEMEANORS	
Type of Search	Felony Including Misdemeanor	
Date of Search	09/05/2013	
Search Period	08/16/2006 - 08/16/2013	
Address Covered	[REDACTED]	
Address City Covered	PUYALLUP	
Address County Covered	PIERCE	
Address State Covered	WA	
Address Zip	[REDACTED]	
Location	930 TACOMA AVE SOUTH, RM 110 TACOMA PIERCE COUNTY	
Given Name Searched	MATTHEW DEDERING	
<i>Full matched by the following identifiers: Last Name, First Name, DOB</i>		
Case Reference #	988013629	
Case Date	04/02/1998	
Name on File	MATTHEW DEDERING	
DoB on File	[REDACTED] XXXX	
Charge	POSSESSION OF STOLEN PROPERTY 1ST	
Charge Type	FELONY	
Disposition	GUILTY	
Date	08/26/2008	
Sentence	PROBATION 6 MONTHS	
<i>Full matched by the following identifiers: Last Name, First Name, DOB</i>		
Case Reference #	988015141	
Case Date	04/22/1998	
Name on File	MATTHEW DEDERING	
DoB on File	[REDACTED] XXXX	

Charge	BURGLARY 2ND
Charge Type	FELONY
Disposition	GUILTY
Date	08/26/2008
Sentence	RESTITUTION \$100; PROBATION 3 MONTHS; COMMUNITY SERVICE 20 HOURS
Source Status History	
Status Date	Description
09/04/2013 10:15:45 AM	Additional Research Required; Expected completion by 09/09/2013
09/03/2013 11:36:15 AM	Additional Research Required; Expected completion by 09/09/2013
08/30/2013 12:48:18 PM	Search In progress. Expected completion by 09/04/2013

National Sex Offender Registry Search - Department Of Justice Web Site		Status: Complete Score: Eligible
Record Source	NATIONAL SEX OFFENDER REGISTRY	
Search Results	No Record Found.	
Search Type	NATIONAL SEX OFFENDER REGISTRY SEARCH-DEPT OF JUSTICE	
Type of Search	National Sex Offender Registry Search - Department Of Justice Web Site	
Date of Search	08/30/2013	
Search Period	08/16/2006 - 08/16/2013	
Given Name Searched	MATTHEW DEDERING	
Source Status History		
Status Date	Description	
08/30/2013 12:51:45 PM	Search In progress. Expected completion by 09/04/2013	

Retail Theft Contributory Database		Status: Complete Score: Eligible
Description		
RETAIL THEFT CONTRIBUTORY DATABASE		
Remark		
No report available due to the discontinuation of the Retail Theft Contributory Database		

Para informacion en espanol, visite www.consumerfinance.gov/learnmore o escriba a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, D.C. 20552.

A Summary Of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street, N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- You have the right to ask for a credit score. Credit scores are numerical summaries of your creditworthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- Access to your file is limited. A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

- You must give your consent for reports to be provided to employers. A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report. Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.
- You may seek damages from violators. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- Identity theft victims and active-duty military personnel have additional rights. For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS	CONTACT
1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates;	a. Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552
b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:	b. Federal Trade Commission, Consumer Response Center FCRA Washington, DC 20580 (877) 382-4357
2. To the extent not included in item 1 above:	a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050
a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks;	b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480
b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies, owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act;	c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106
c. Nonmember insured banks, insured state branches of foreign banks, and insured state savings associations;	d. National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314
d. Federal Credit Unions	
3. Air carriers	Asst. General Counsel for Aviation Enforcement & Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590
4. Creditors Subject to Surface Transportation Board	Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, SW Washington, DC 20423

5. Creditors Subject to Packers and Stockyards Act:	Nearest Packers and Stockyards Administration area supervisor.
6. Small Business Investment Companies:	Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416
7. Brokers and Dealers:	Securities and Exchange Commission 100 F Street NE Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations:	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above:	FTC Regional Office for region in which the creditor operates or Federal Trade Commission, Consumer Response Center - FCRA Washington, DC 20580 (877) 392-4357

A SUMMARY OF YOUR RIGHTS UNDER THE STATE OF WASHINGTON FAIR CREDIT REPORTING ACT

The Washington Fair Credit Reporting Act, located at Chapter 19.182 RCW, substantially parallels the federal Fair Credit Reporting Act and the rights and remedies set forth in the Consumer Financial Protection Bureau's Summary of Rights, except that, effective July 22, 2007, the Washington State law imposes greater limitations on the reasons for which an employer may obtain a consumer report. Beginning July 22, 2007, an employer may not obtain a consumer report that indicates the consumer's credit worthiness, credit standing, or credit capacity, unless (1) the information is substantially job related and the employer's reasons for using the information are disclosed in writing, or (2) the information is required by law.

For Washington Residents:

Under the Fair Credit Reporting Act (FCRA), all consumers are entitled to one free annual file disclosure in any twelve month period. You may be charged a reasonable fee, not exceeding eight dollars, for each additional disclosure within any 12-month period.

However, there is no fee if (1) you have been notified of an adverse action taken towards you based upon information appearing in your consumer file within the preceding 60 days, (2) you suspect that your file may contain fraud or you have been the victim of identity theft, or (3) you are unemployed or are currently receiving financial assistance.

A person may not procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to you if you are not an employee at the time the report is procured or caused to be procured unless:

- A clear and conspicuous disclosure has been made in writing to you before the report is procured or caused to be procured that a consumer report may be obtained for purposes of considering the consumer for employment. The disclosure may be contained in a written statement contained in employment application materials; or
- You authorize the procurement of the report.

A person may not procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to any employee unless the employee has received, at any time,

after the person became an employee, written notice that consumer report may be used for employment purposes. A written statement that consumer reports may be used for employment purposes that is contained in employee guidelines or manuals available to employees or included in written materials provided to employees constitutes written notice. This rule does not apply with respect to a consumer report of an employee who the employer has reasonable cause to believe has engaged in specific activity that constitutes a violation of law.

In using a consumer report for employment purposes before taking any adverse action based in whole or part on the report, a person shall provide you:

- The name, address, and telephone number of the consumer reporting agency providing the report;
- A description of your rights under this chapter pertaining to consumer reports obtained for employment purposes; and
- A reasonable opportunity to respond to any information in the report that is disputed by the consumer.

A consumer reporting agency may provide a user a consumer report in connection with a credit transaction that is not initiated by you only if you authorized the consumer reporting agency to provide the report to such a person, or you have not elected to have your name and address excluded from such transactions.

In connection with a credit transaction that is not initiated by you, a consumer reporting agency may only provide your name and address and information that is not identified or identifiable with your particular accounts or transactions.

You may elect to have your name and address excluded from any list provided by a consumer reporting agency through prescreening, or from any list provided by a consumer reporting agency for direct solicitation transactions that are not initiated by you by notifying the consumer reporting agency. The notice must be made in writing through the notification system maintained by the consumer reporting agency and must state that you do not consent to any use of consumer reports relating to you in connection with any transaction that is not initiated by you.

An election to have your information excluded is effective with respect to a consumer reporting agency and any affiliate of the consumer reporting agency, within five business days after the consumer reporting agency receives your notice.

A consumer reporting agency that provides information intended to be used in a prescreened credit transaction or direct solicitation transaction that is not initiated by you shall maintain a notification system that facilitates your ability to notify the agency to promptly withdraw your name from lists compiled for prescreened credit transactions and direct solicitation transactions not initiated by you, and shall publish, at least annually, in a publication of general circulation in the area served by the agency, the address for consumers to use to notify the agency of the consumer's election to exclude information.

A consumer reporting agency that maintains consumer reports on a nation-wide basis shall establish a system meeting these requirements on a nation-wide basis, and may operate such a system jointly with any other consumer reporting agencies. Compliance with the requirements of this section by any consumer reporting agency constitutes compliance by the agency's affiliates.

A consumer reporting agency shall, upon your request, clearly and accurately disclose all information in your file, except that medical information may be withheld. The agency shall inform you of the existence of medical information, and you have the right to have that information disclosed to the health care provider of your choice. Nothing in this chapter prevents, or authorizes a consumer reporting agency to prevent, the health care provider from disclosing the medical information to you. The agency shall inform you of the right to disclosure of medical information at the time you request disclosure of your file.

If a person takes an adverse action against you based in whole or part on the information contained in a consumer report, the person shall provide written notice of the adverse action to you, except verbal notice may be given by a person in an adverse action involving a business regulated by the Washington utilities and transportation commission or involving an application for the rental or leasing of residential real estate if such verbal notice does not impair your ability to obtain a credit report without charge under RCW 19.182.100(2). The person taking adverse action must also provide you with the name, address, and telephone number of any other consumer reporting agency that furnished the report.

A consumer reporting agency shall, upon your request, clearly and accurately disclose:

- All information in your file at the time of request, except that medical information may be withheld. The agency shall inform you of the existence of medical information, and you have the right to have that information disclosed to the health care provider of your choice. Nothing in this chapter prevents, or authorizes a consumer reporting agency to prevent the health care provider from disclosing the medical information to you. You have the right to disclosure of medical information at the time you request disclosure of your file.
- All items of information in its files on you, including disclosure of the sources of the information, except that sources of information acquired solely for use in an investigative report may only be disclosed to a plaintiff under appropriate discovery procedures.
- Identification of each person who for employment purposes within the two-year period before the request, and each person who for any other purpose within the six-month period before the request, procured a consumer report.
- A record identifying all inquiries received by the agency in the six-month period before the request that identified the you in connection with a credit transaction not initiated by you.
- An identification of a person under the rules above must include the name of the person or, if applicable, the trade name under which the person conducts business, and upon your request, the address of the person.

Consumer reporting agencies that provide toll-free telephone numbers must also provide adequately trained personnel to answer basic inquiries from consumers using the toll-free numbers.

If the completeness or accuracy of an item of information contained in your file at a consumer reporting agency is disputed by you and you notify the agency directly of the dispute, the agency shall reinvestigate without charge and record the current status of the disputed information before the end of thirty business days, beginning on the date the agency receives the notice.

Before the end of the five-business-day period beginning on the date a consumer reporting agency receives notice of a dispute the agency shall notify any person who provided an item of information in dispute.

Notwithstanding the right to dispute information a consumer reporting agency may terminate a reinvestigation of information disputed by you if the agency determines that the dispute is frivolous or irrelevant, including by reason of a failure to provide sufficient information.

Upon making a determination in accordance that a dispute is frivolous or irrelevant, a consumer reporting agency shall notify you within five business days of the determination. The notice shall be made in writing or any other means authorized by you that are available to the agency, but the notice shall include the reasons for the determination and a notice of your rights.

In conducting a reinvestigation with respect to disputed information in your file, the consumer reporting agency shall review and consider all relevant information submitted by you in the period described with respect to the disputed information.

If, after a reinvestigation the information is found to be inaccurate or cannot be verified, the consumer reporting agency shall promptly delete the information from the consumer's file. If information is deleted the information may not be reinserted unless the person who furnishes the information verifies that the information is complete and accurate.

If information that has been deleted from a consumer's file is reinserted in the file the consumer reporting agency shall notify you of the reinsertion within thirty business days. The notice shall be in writing or any other means authorized by you that are available to the agency.

If the reinvestigation does not resolve the dispute or if the consumer reporting agency determines the dispute is frivolous or irrelevant, you may file a brief statement setting forth the nature of the dispute. The consumer reporting agency may limit these statements to not more than one hundred words if it provides you with assistance in writing a clear summary of the dispute.

After the deletion of information from your file under this section or after the filing of a statement of dispute the consumer reporting agency shall, at your request, furnish notification that the item of information has been deleted or that item of information is disputed. In the case of disputed information, the notification shall include the statement filed by you setting forth the nature of the dispute. The notification shall be furnished to any person specifically designated by you, who has, within two years before the deletion or filing of a dispute, received a consumer report concerning you for employment purposes, or who has, within six months of the deletion or the filing of the dispute, received a consumer report concerning you for any other purpose, if these consumer reports contained the deleted or disputed information.

Upon completion of the reinvestigation under this section, a consumer reporting agency shall provide notice, in writing or by any other means authorized by you, of the results of a reinvestigation within five business days.

The notice required must include:

- A statement that the reinvestigation is completed;
- A consumer report that is based upon the your file as that file is revised as a result of the reinvestigation;
- A description or indication of any changes made in the consumer report as a result of those revisions to your file;

- Upon your request, a description of the procedure used to determine the accuracy and completeness of the information shall be provided to you by the agency, including the name, business address, and telephone number of any person contacted in connection with the information;
- If the reinvestigation does not resolve the dispute, a summary of your right to file a brief statement as provided above section; and
- If information is deleted or disputed after reinvestigation, a summary of your right to request notification to persons who have received a consumer report as provided above.

In the case of a consumer reporting agency that compiles and maintains consumer reports on a nation-wide basis, the consumer reporting agency must provide to you, if you have undertaken to dispute the information contained in your file, a toll-free telephone number that you can use to communicate with the agency. A consumer reporting agency that provides a toll-free number required by this subsection shall also provide adequately trained personnel to answer basic inquiries from consumers using the toll-free number.

Except as authorized no consumer reporting agency may make a consumer report containing any of the following items of information:

- Bankruptcies that, from date of adjudication of the most recent bankruptcy, antedate the report by more than ten years;
- Suits and judgments that, from date of entry, antedate the report by more than seven years or until the governing statute of limitations has expired, whichever is the longer period;
- Paid tax liens that, from date of payment, antedate the report by more than seven years;
- Accounts placed for collection or charged to profit and loss that antedate the report by more than seven years;
- Records of arrest, indictment, or conviction of crime that, from date of disposition, release, or parole, antedate the report by more than seven years;
- Any other adverse item of information that antedates the report by more than seven years.

This section is not applicable in the case of a consumer report to be used in connection with:

- A credit transaction involving, or that may reasonably be expected to involve, a principal amount of fifty thousand dollars or more;
- The underwriting of life insurance involving, or that may reasonably be expected to involve, a face amount of fifty thousand dollars or more; or
- The employment of an individual at an annual salary that equals, or that may reasonably be expected to equal, twenty thousand dollars or more.

You have a right to bring civil action against anyone who willfully or negligently fails to comply with any requirement imposed under the subtitle of Washington state law outlined above.

If you believe a law regulating consumer credit reporting has been violated, you may file a complaint with the Washington State Attorney General's Office, 1125 WASHINGTON ST. SE, P.O. BOX 40100, OLYMPIA, WA 98504-0100,

Telephone Number: 360-753-6200.

CONSUMER PROTECTION DIVISION: The Consumer Resource Center, Statewide Toll-Free Number: 800-551-9883. Complaints may be made via U.S. Mail or E-Mail at <http://www.atg.wa.gov/FileAComplaint.aspx> (Include your U.S. Mail address with any complaint.)

If you wish to contact First Advantage please call: 800-321-4473.

EXHIBIT B



First Advantage

A Symphony Technology Group Company

Matthew Dederling

Puyallup WA

We received your request to obtain a copy of the Employment Verification Report that was requested by a potential employer or volunteer organization. We have reviewed our records and found results matching the identification information you provided. A copy of the reported information has been enclosed for your records.

If you believe any of the information on your report is incorrect or incomplete and you wish to file a dispute, please contact us by phone, fax, or mail.

First Advantage Consumer Center
P.O. Box 105292
Atlanta, GA 30348-5292
Toll free phone: 1-800-845-6004
Fax: 678-694-2844

First Advantage provides Employment Verification Reports to employers that have a job applicant's or an employee's consent. Employers work with a variety of companies to obtain employment verification information. Our files would only contain information on you if First Advantage provided your Employment Verification Report to an employer or volunteer organization.

To learn more about First Advantage background reports and other First Advantage consumer services, please visit our consumer web site <http://www.fadv.com/solutions/solutions/consumer-solutions>.

Thank you for giving us the opportunity to assist you.

First Advantage Consumer Center

NOTE: Phone calls to our Consumer Center may be monitored for quality assurance.

Employee Report

Please note that the employment report you are viewing contains information provided by a Professional Employer Service Company that manages the payroll, human resources, and other administrative duties through co-employment with worksite employers. Employer and location details are based on Alphastaff information and not worksite employers'.

Employee Name: MATTHEW DEDERING

Report Tracking Number: 493576

Date Report Updated: 3/26/2015

Information Updated as of: 11/28/2010

Corporate Office Detail

Employer Name: Alphastaff Systems V, Inc.

Employer Street Address: 800 Corporate Drive Suite 600

City, State, Zip: Fort Lauderdale, FL 33334

Division:

Are Medical Benefits Available: Yes

Fein: 651141336

General Employee Information:

Employee Street Address: [REDACTED]

City, State, Zip: SPANAWAY, WA [REDACTED]

Eligible for Medical: Yes

Employee Accepts Benefits: No

Enrollment Type: Information Not Available

Employment Classification: Full Time

Employment Status: Terminated

Job Title: WA LEAD SALES REP

Original Hire Date: 7/13/2010

Original Separation Date: 11/19/2010

Current Hire Date: 7/13/2010

Current Separation Date: 11/19/2010

Employee Length of Service:

Employee Payroll Information:

Base Pay: \$20,800.00

Base Pay Unit of Measure: Annually

Pay Frequency: Bi-Weekly

Avg. Hours/Period: 0.00

Last Pay Increase: 10/23/2010

Amount of Increase/Decrease: \$2,080.00

YTD Earnings: \$0.00

2014 YTD Earnings: \$0.00

2013 YTD Earnings: \$0.00

YTD Details

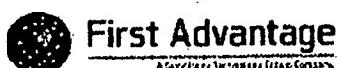
	2010	2009	2008
Regular YTD	\$8,788.80	\$0.00	\$0.00
Overtime YTD	\$0.00	\$0.00	\$0.00
Bonus YTD	\$0.00	\$0.00	\$0.00
Commission YTD	\$0.00	\$0.00	\$0.00
Incentive YTD	\$0.00	\$0.00	\$0.00
Other YTD	\$0.00	\$0.00	\$0.00
Gross Pay	\$8,788.80	\$0.00	\$0.00

12 Month Revolving Pay History

Nov	Oct	Sep	Aug	July	Jun	May	Apr	Mar	Feb	Jan	Dec
\$1,951.00	\$2,004.46	\$2,139.01	\$1,905.51	\$1,288.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Detailed Employee Payroll Information (Per Period by Year)

Payroll Period End Date	HOURS	GROSS PAY	REGULAR PAY	OVERTIME	BONUS	COMMISSION	INCENTIVE	OTHER
11/19/2010	164.31	\$734.33	\$734.33	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
11/5/2010	79.73	\$717.57	\$717.57	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10/22/2010	78.69	\$708.61	\$708.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10/8/2010	77.55	\$1,207.95	\$1,207.95	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
9/24/2010	79.04	\$1,187.66	\$1,187.66	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
9/10/2010	79.86	\$950.15	\$950.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/27/2010	78.09	\$702.81	\$702.81	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/13/2010	76.80	\$1,202.70	\$1,202.70	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7/30/2010	79.11	\$989.99	\$989.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7/16/2010	85.77	\$321.93	\$321.93	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



If your consumer is a California resident, the following notice is provided as required under California law:

IMPORTANT NOTICE UNDER CALIFORNIA LAW

First Advantage does not guarantee the accuracy or truthfulness of the information as to the subject of the investigation, but only that it is accurately copied from public records. Information generated as a result of identity theft, including evidence of criminal activity, may be inaccurately associated with the consumer who is the subject of this report. In California, First Advantage shall provide a consumer seeking to obtain a copy of a report or making a request to review a file, a written notice in simple, plain English and Spanish setting forth the terms and conditions of his or her right to receive all disclosures.

Frist Advantage no garantiza la exactitud o veracidad de la informacion en cuanto al objeto de la investigacion, sino que solamente copia la informacion de los archivos publicos con exactitud. La informacion generada a razn del robo de identidad, incluyendo evidencia de actividad criminal, puede ser incorrectamente asociada con el consumidor objeto de este informe. El cliente esta de acuerdo y certifica que al ordenar y usar este informe esta en estricto cumplimiento de cualesquiera leyes o regulaciones locales, estatales y federales que sean aplicables.

Report For:

Dederling, Matthew

SSN

Billing reference: lynchb01

Puyallup Washington

Date Ordered: 03/25/15

Last Updated: 03/25/15

First Advantage National Criminal File Plus Search - 2 matches

SSN VALIDATION

SSN [REDACTED] was VALIDLY ISSUED
between XXXX and 1984
in WA

DEVELOPED NAMES AND ADDRESSES

2 additional names and addresses were found. Click [here](#) to view the report.

FIRST ADVANTAGE NATIONAL CRIMINAL FILE PLUS SEARCH

Name: DEDERING, MATTHEW
 Date Of Birth: [REDACTED] XXXX
 SSN:
 Source: PROM - WA - PIERCE SUPERIOR COURT
 State: WA
 County: PIERCE
 Case Number: 988013629
 Case Type: Felony
 Offense: Possession of Stolen Property 1st Felony
 Offense Date:
 Sentence: Probation 6 months
 Disposition: Guilty
 Disposition Date: 08/26/2008
 Current As Of: 09/05/2013
 Notice: Record must be updated at source
 Name: DEDERING, MATTHEW
 Date Of Birth: [REDACTED] XXXX
 SSN:
 Source: PROM - WA - PIERCE SUPERIOR COURT
 State: WA
 County: PIERCE
 Case Number: 988015141
 Case Type: Felony
 Offense: Burglary 2nd Felony
 Offense Date:
 Sentence: Restitution 1100
 Probation 3 months
 Community Service 20 hours
 Disposition: Guilty
 Disposition Date: 08/26/2008
 Current As Of: 09/05/2013
 Notice: Record must be updated at source

The records contained in this report are compiled from databases that are only updated infrequently and, therefore, may not have the most current information. This report is not intended to recommend, or not recommend, any individual. The records may or may not have sufficient information to establish the exact identity of an individual therefore, the information is provided merely as an indication of information that should be verified prior to making a decision. Your decision regarding the individual should not be based on information that is not up to date or that has not been verified or solely on the results of this or any similar report. First Advantage does not guarantee, warrant or assume any responsibility for the accuracy of the information obtained from other sources and shall not be liable for any losses or injuries now or in the future resulting from or relating to the information provided herein.

END OF REPORT FOR:

Dederding, Matthew

*** All fully displayed personal identifiable information is customer-provided ***

Para informacion en espanol, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure.”) You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- You have the right to ask for a credit score. Credit scores are numerical summaries of your creditworthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

- Access to your file is limited. A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- You must give your consent for reports to be provided to employers. A consumer reporting agency may not give out information about you to your employer or a potential employer without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.
- You may limit “prescreened” offers of credit and insurance you get based on information in your credit report. Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.
- You may seek damages from violators. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- Identity theft victims and active-duty military personnel have additional rights. For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates.	a. Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552
b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:	b. Federal Trade Commission, Consumer Response Center FCRA Washington, DC 20580 (877)382-4357
2. To the extent not included in item 1 above:	
a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks.	a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050
b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured State Branches of Foreign Banks), commercial lending companies, owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act.	b. Federal Reserve Consumer Help Center, P.O. Box 1200 Minneapolis, MN 55480
c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations.	c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64108
d. Federal Credit Unions.	d. National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314
3. Air carriers.	Asst. General Counsel for Aviation Enforcement & Proceedings, Aviation Consumer Protection Division, Department of Transportation, 1200 New Jersey Avenue, S.E., Washington, DC 20590

4. Creditors Subject to Surface Transportation Board	Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street SW (Washington, DC 20423)
5. Creditors Subject to Packers and Stockyards Act	Nearest Packers and Stockyards Administration area supervisor
6. Small Business Investment Companies	Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street SW, 8th Floor Washington, DC 20416
7. Brokers and Dealers	Securities and Exchange Commission 100 F Street NE Washington, DC 20549
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	FTC Regional Office for region in which the creditor operates or Federal Trade Commission Consumer Response Center - FCRA Washington, DC 20580 (877) 382-4357

**A SUMMARY OF YOUR RIGHTS
UNDER THE STATE OF WASHINGTON FAIR CREDIT REPORTING ACT**

The State of Washington Fair Credit Reporting Act (WFCRA) is designed to promote accuracy, fairness, consumer confidentiality and the proper use of consumer report data by each consumer reporting agency ("CRA") in accordance with the requirements of the WFCRA.

The WFCRA is modeled after the Federal Fair Credit Reporting Act. The same rights are provided under the Federal Fair Credit Reporting Act and you have received A Summary of Your Rights Under the Federal Fair Credit Reporting Act. You can find the complete text of the WFCRA (RCW 19.182) from the Washington Code Revisors Office, P.O. Box 40511, Olympia, WA, 98504.

For questions or concerns regarding the WFCRA, please contact:

Attorney General of the State of Washington
1126 Washington Street S.E.
P.O. Box 40100
Olympia, WA 98504-0100
Phone: 360-753-6200

Form ####-04-03



Report For: Dederding, Matthew

The following information is provided for informational purposes only and is merely an indication of information that should be verified prior to making an employment decision. Your employment decision should not be based solely on the results of this or any similar report but rather should be based on additional research and consultation with the subject of this consumer report. The names and addresses provided are a representation of information that has been associated with the Social Security number provided by the subject of this consumer report.

DEVELOPED NAMES AND ADDRESSES

Name:	DEDERING, MATTHEW I
Name:	DEDERING, MATT
Address:	[REDACTED] BONNEY LAKE, WA, [REDACTED]
Address:	[REDACTED] MILTON, WA, [REDACTED]
Address:	[REDACTED] BONNEY LAKE, WA, [REDACTED]
Address:	[REDACTED] PUYALLUP, WA, [REDACTED]
Address:	[REDACTED] SPANAWAY, WA, [REDACTED]
Address:	[REDACTED] PUYALLUP, WA, [REDACTED]
Address:	[REDACTED] BONNEY LAKE, WA, [REDACTED]

EXHIBIT C

MATTHEW DEDERING

Background Report

Confidential

MATT DEDERING

CID - [REDACTED]

SIMMONS COMPANY
425 C STREET NW
AUBURN, WA 98002

Caution to Customer: Under the terms of our service agreement, this report is submitted with the understanding that it is to be held in strict confidence and to be used Only for the purpose indicated in the Customer's agreement for service, i.e. to determine eligibility for Employment / Volunteer / Government benefits / etc. If the Client Representative intends to take adverse action based in whole or in part on the contents of this report, the Customer Representative must provide the consumer with a copy of the report and a summary of consumer rights as prescribed by FCRA section 1681g(c)(3). First Advantage has provided your company with copies of the consumer rights statements for this purpose. In addition, remember the pre- and post-notification requirements and Consumer authorization prescribed by FCRA section 1681b and section 1681m.

If you are a First Advantage Consumer

Please contact the First Advantage Consumer Center at:
1-800-845-6004 Toll Free (within the U.S.)
+1 678-694-2530 Toll Number (outside the U.S.)

First Advantage Customers

Please contact the ATLANTA EMPLOYMENT SERVICE CENTER at:
(800)888-5773 (outside North America +1-770-569-3001)



Enterprise Advantage

General Consumer Information

Consumer's Name **MATT DEDERING**

MATT DEDERING

Client Name **SIMMONS COMPANY**

The following consumer information was used in the production of this report:

Last Name, First Name, Middle Name, SSN, Date of Birth, Address

SSN [REDACTED]

Address [REDACTED]
PUYALLUP, WA [REDACTED]

Date of Birth [REDACTED] XXXX

Other Names

Not Provided

Information Regarding this Order:
Position Applied For **MATT PREUP**

Date Ordered **Jul 06, 2007 03:54:35 PM**

Background Check **Jul 20, 2007 01:49:25 PM**

Report Last Updated on **Jul 20, 2007 01:49:25 PM**

Completion Date				
Date Report Printed Mar 25, 2015 05:46:41 PM				
All timestamps represent Eastern Time				
Background Report Summary				
Score Result				
Package Name: BASIC PKG - EDUCATION				
Package Searches Ordered	Status	Review	Score	
Social Security Verification	Complete	No		
Social Security Verification	Complete	No		
First Advantage National Criminal File	Complete	Yes*		
First Advantage National Criminal File PUYALLUP, PIERCE, WA	Complete	Yes*		
Statewide Criminal	Complete	Yes*		
Statewide Criminal PUYALLUP, PIERCE, WA	Complete	Yes*		
Additional Searches Ordered				
NONE				

* Further review is required by the client to determine the consumer's eligibility based on background check results. Please refer to the corresponding detailed component report section for additional information.

** Further review is required by the client to determine the consumer's eligibility based on background check results. Please refer to the corresponding detailed component report section for additional information.

*** This product has been blocked from delivery due to compliance related restrictions.

Social Security Number Validation				
Note				
The Social Security Number Validation is a process where the SSN is confirmed as being issued by the Social Security Administration. The Social Security Number Validation also confirms that the SSN does not belong to a deceased individual.				
Valid SSN? Yes	State Issued WASHINGTON			
Date Issued BETWEEN XXXX-1984	Reported Deceased? No			
Disclaimer				
The results of the Social Security Number Validation do not provide a verification that the Social Security Number belongs to the Consumer of this report.				

Social Security Verification				
Status: Complete				
The Social Security Number Verification (SSNV) matches the given SSN against consumer credit files contained in the databases of nationwide credit reporting agencies. The credit bureaus' consumer credit files contain information provided by companies with which the consumer has had financial dealings and/or public record information collected by the bureaus from the courts. The SSNV does not verify that the Social Security Administration issued a specific SSN to a consumer.				
Customer Provided Information				
SSN	DOB	XXXX	XXXX	XXXX
SSN State Issued	WA	SSN Year Issued	XXXX	XXXX

SSN SafeScanSEE REMARKS	SSN [REDACTED]						
SSN State IssuedWA	SSN Year IssuedXXXX						
SSN SafeScanSEE REMARKS	SSN [REDACTED]						
SSN State IssuedWA	SSN Year IssuedXXXX						
SSN SafeScanSEE REMARKS	SSN [REDACTED]						
Name TypeReport Subject	Name DEDERING, MATTHEW INA						
Name TypeReport Subject	Name DEDERING, MARTHA I						
Addr TypeResidence Address	First DateLast						
Address: [REDACTED] [REDACTED] SUMNER, WA [REDACTED]							
Addr TypeResidence Address	First DateLast						
Address: [REDACTED] [REDACTED] MILTON, WA [REDACTED]							
Remark							
A SOCIAL SECURITY NUMBER VERIFICATION SEARCH HAS BEEN COMPLETED AND NO DISCREPANCIES WERE FOUND.							
Order Process History <table border="1"> <thead> <tr> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>07/06/2007 03:54:35 PM</td> <td>Search In Progress. Expected Results by 07/06/2007 03:54:35 PM</td> </tr> <tr> <td>07/06/2007 03:54:35 PM</td> <td>Record Judged. Expected Results by 07/06/2007 03:54:35 PM</td> </tr> </tbody> </table>		Date	Description	07/06/2007 03:54:35 PM	Search In Progress. Expected Results by 07/06/2007 03:54:35 PM	07/06/2007 03:54:35 PM	Record Judged. Expected Results by 07/06/2007 03:54:35 PM
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07/06/2007 03:54:35 PM	Search In Progress. Expected Results by 07/06/2007 03:54:35 PM						
07/06/2007 03:54:35 PM	Record Judged. Expected Results by 07/06/2007 03:54:35 PM						

First Advantage National Criminal File PUYALLUP PIERCE WA		Status: Complete
Record Source	DATABASE SEARCH (XDB) - WASHINGTON STATE DISTRICT AND MUNICIPAL COURT	
Search Results	Record Found	
Search Type	First Advantage National Criminal File Search	
Type of Search	First Advantage National Criminal File	
Date of Search	07/06/2007	
Address Covered	[REDACTED]	
Address City Covered	PUYALLUP	
Address County Covered	PIERCE	
Address State Covered	WA	
Address Zip	[REDACTED]	
Location	PUYALLUP POLICE DEPARTMENT, WASHINGTON PUYALLUP POLICE DEPARTMENT COUNTY	
Given Name Searched	MATT DEDERING	

Full matched by the following Identifiers: Name, DOB

Case Reference #	C00050190PUYCT2479
Case Date	04/26/2005
DoB on File	[REDACTED] XXXX
Charge	DUI
Charge Type	MISDEMEANOR
Disposition	GUILTY
Date	11/08/2005
Sentence	FINED - 5000 SUSPENDED AMOUNT - 4650 OTHER - JAIL SENTENCE - 365 DAY(S) SUSPENDED JAIL TIME - 364 DAY(S)
Record Source	DATABASE SEARCH (XDB) - WASHINGTON STATE DISTRICT AND MUNICIPAL COURT
Search Results	Record Found
Search Type	First Advantage National Criminal File Search
Type of Search	First Advantage National Criminal File
Date of Search	07/06/2007
Address Covered	[REDACTED]
Address City Covered	PUYALLUP
Address County Covered	PIERCE
Address State Covered	WA
Address Zip	[REDACTED]
Location	BONNEY LAKE POLICE DEPARTMENT, WASHINGTON BONNEY LAKE POLICE DEPARTMENT COUNTY
Given Name Searched	MATT DEDERING

Full matched by the following Identifiers: Name, DOB

Case Reference #	C00034995BYPNCN5474
Case Date	08/15/2003
DoB on File	[REDACTED] XXXX
Charge	MINOR IN POSSESSION
Charge Type	MISDEMEANOR
Disposition	GUILTY
Date	10/15/2003
Sentence	FINED - 1000 OTHER - JAIL SENTENCE - 30 DAY(S) SUSPENDED JAIL TIME - 30 DAY(S)

Order Process History

Date	Description
------	-------------

07/06/2007 03:54:36 PM Record Ordered; Expected Results by 07/06/2007 03:54:36 PM

07/06/2007 03:55:18 PM	Search In Progress. Expected Results by 07/06/2007 03:55:18 PM
07/09/2007 03:36:51 PM	Research Required - First Advantage Research In Progress - Delay Possible Expected Results by 07/09/2007 03:36:51 PM
07/20/2007 01:49:18 PM	Record Judged. Expected Results by 07/20/2007 01:49:18 PM

Statewide Criminal PUYALLUP, PIERCE, WA		Status: Complete
Record Source	WASHINGTON STATE PATROL	
Search Results	Record Found	
Search Type	WASHINGTON STATE POLICE SEARCH	
Type of Search	Statewide Criminal	
Date of Search	07/09/2007	
Search Period	07/07/2000 - 06/22/2007	
Address Covered	[REDACTED]	
Address City Covered	PUYALLUP	
Address County Covered	PIERCE	
Address State Covered	WA	
Address Zip	[REDACTED]	
Location	321 CLEVELAND AVENUE #A OLYMPIA THURSTON COUNTY	
Given Name Searched	MATT DEDERING	
Comments	PLEASE NOTE NAME. THIS MAY OR MAY NOT BE YOUR SUBJECT.	
<i>Full matched by the following identifiers: DOB</i>		
Case Reference #	C00050190	
Case Date	06/20/2005	
DoB on File	[REDACTED]	XXXX
Charge	DRIVING UNDER THE INFLUENCE	
Charge Type	GROSS MISDEMEANOR	
Disposition	GUILTY	
Date	11/08/2005	
Sentence	JAIL 365 DAYS, SUSPENDED-364 DAYS; FINE AND COURT COSTS \$5000.00 SUSPENDED-\$4650.00	
<i>Full matched by the following identifiers: DOB</i>		
Case Reference #	031002452	
Case Date	07/22/2003	
DoB on File	[REDACTED]	XXXX

Charge	DRIVING WHILE LICENSE SUSPENDED
Charge Type	MISDEMEANOR
Disposition	GUilty
Date	09/05/2003
Sentence	JAIL 2 DAYS
Source Status History	
Status Date	Description
07/06/2007 04:13:11 PM	:Search In Progress: Expected Completion by 07/10/2007
Remark:	
THIS SEARCH ALSO COVERS: 1104 9TH AVE, MILTON, PIERCE COUNTY, WA; 1501 WOOD AVE, SUMNER, PIERCE COUNTY, WA	
Order Process History	
Date	Description
07/06/2007 03:54:35 PM	:Search In Progress: Expected Results by 07/06/2007 03:54:35 PM
07/06/2007 04:13:11 PM	:Search In Progress: Expected Results by 07/06/2007 04:13:11 PM
07/09/2007 05:14:49 PM	:Search In Progress: Expected Results by 07/09/2007 05:14:49 PM
07/12/2007 05:43:41 AM	Record Judged: Expected Results by 07/12/2007 05:43:41 AM

Para información en español, visite www.consumerfinance.gov/learnmore o escriba a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, D.C. 20552.

A Summary Of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;

- you are on public assistance;
- you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- You have the right to ask for a credit score. Credit scores are numerical summaries of your creditworthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
 - You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.
 - Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
 - Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
 - Access to your file is limited. A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
 - You must give your consent for reports to be provided to employers. A consumer reporting agency may not give out information about you to your employer or a potential employer without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.
 - You may limit “prescreened” offers of credit and insurance you get based on information in your credit report. Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-567-8688.
 - You may seek damages from violators. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
 - Identity theft victims and active duty military personnel have additional rights. For more information, visit www.consumerfinance.gov/learnmore.
- States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates.</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>a. Consumer Financial Protection Bureau 1700 G Street, NW Washington, DC 20552</p> <p>b. Federal Trade Commission, Consumer Response Center - FCRA Washington, DC 20580 (877) 362-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks.</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies, owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act.</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and Insured State Savings Associations.</p> <p>d. Federal Credit Unions.</p>	<p>a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air Carriers</p>	<p>Asst. General Counsel for Aviation Enforcement & Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590</p>
<p>4. Creditors Subject to Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, SW Washington, DC 20423</p>
<p>5. Creditors Subject to Packers and Stockyards Act</p>	<p>Nearest Packers and Stockyards Administration area supervisor</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F Street, NE Washington, DC 20549</p>
<p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>
<p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>	<p>FTC Regional Office for region in which the creditor operates or Federal Trade Commission, Consumer Response Center - FCRA Washington, DC 20580 (877) 362-4357</p>

A SUMMARY OF YOUR RIGHTS UNDER THE STATE OF WASHINGTON FAIR CREDIT REPORTING ACT

The Washington Fair Credit Reporting Act, located at Chapter 19.182 RCW, substantially parallels the federal Fair Credit Reporting Act and the rights and remedies set forth in the Consumer Financial Protection Bureau's Summary of Rights, except that, effective July 22, 2007, the

Washington State law imposes greater limitations on the reasons for which an employer may obtain a consumer report. Beginning July 22, 2007, an employer may not obtain a consumer report that indicates the consumer's credit worthiness, credit standing, or credit capacity, unless (1) the information is substantially job related and the employer's reasons for using the information are disclosed in writing; or (2) the information is required by law.

For Washington Residents:

Under the Fair Credit Reporting Act (FCRA), all consumers are entitled to one free annual file disclosure in any twelve month period. You may be charged a reasonable fee, not exceeding eight dollars, for each additional disclosure within any 12-month period.

However, there is no fee if (1) you have been notified of an adverse action taken towards you based upon information appearing in your consumer file within the preceding 60 days; (2) you suspect that your file may contain fraud or you have been the victim of identity theft; or (3) you are unemployed or are currently receiving financial assistance.

A person may not procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to you if you are not an employee at the time the report is procured or caused to be procured unless:

- A clear and conspicuous disclosure has been made in writing to you before the report is procured or caused to be procured that a consumer report may be obtained for purposes of considering the consumer for employment. The disclosure may be contained in a written statement contained in employment application materials; or
- You authorize the procurement of the report.

A person may not procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to any employee unless the employee has received, at any time after the person became an employee, written notice that consumer report may be used for employment purposes. A written statement that consumer reports may be used for employment purposes that is contained in employee guidelines or manuals available to employees or included in written materials provided to employees constitutes written notice. This rule does not apply with respect to a consumer report of an employee who the employer has reasonable cause to believe has engaged in specific activity that constitutes a violation of law.

In using a consumer report for employment purposes before taking any adverse action based in whole or part on the report, a person shall provide you:

- The name, address, and telephone number of the consumer reporting agency providing the report;
- A description of your rights under this chapter pertaining to consumer reports obtained for employment purposes; and
- A reasonable opportunity to respond to any information in the report that is disputed by the consumer.

A consumer reporting agency may provide a user a consumer report in connection with a credit transaction that is not initiated by you only if you authorized the consumer reporting agency to

~~provide the report to such a person, or you have not elected to have your name and address excluded from such transactions.~~

~~In connection with a credit transaction that is not initiated by you, a consumer reporting agency may only provide your name and address and information that is not identified or identifiable with your particular accounts or transactions.~~

~~You may elect to have your name and address excluded from any list provided by a consumer reporting agency through prescreening, or from any list provided by a consumer reporting agency for direct solicitation transactions that are not initiated by you by notifying the consumer reporting agency. The notice must be made in writing through the notification system maintained by the consumer reporting agency and must state that you do not consent to any use of consumer reports relating to you in connection with any transaction that is not initiated by you.~~

~~An election to have your information excluded is effective with respect to a consumer reporting agency and any affiliate of the consumer reporting agency, within five business days after the consumer reporting agency receives your notice.~~

~~A consumer reporting agency that provides information intended to be used in a prescreened credit transaction or direct solicitation transaction that is not initiated by you shall maintain a notification system that facilitates your ability to notify the agency to promptly withdraw your name from lists compiled for prescreened credit transactions and direct solicitation transactions not initiated by you, and shall publish, at least annually, in a publication of general circulation in the area served by the agency, the address for consumers to use to notify the agency of the consumer's election to exclude information.~~

~~A consumer reporting agency that maintains consumer reports on a nation-wide basis shall establish a system meeting these requirements on a nation-wide basis, and may operate such a system jointly with any other consumer reporting agencies. Compliance with the requirements of this section by any consumer reporting agency constitutes compliance by the agency's affiliates.~~

~~A consumer reporting agency shall, upon your request, clearly and accurately disclose all information in your file, except that medical information may be withheld. The agency shall inform you of the existence of medical information, and you have the right to have that information disclosed to the health care provider of your choice. Nothing in this chapter prevents, or authorizes a consumer reporting agency to prevent, the health care provider from disclosing the medical information to you. The agency shall inform you of the right to disclosure of medical information at the time you request disclosure of your file.~~

~~If a person takes an adverse action against you based in whole or part on the information contained in a consumer report, the person shall provide written notice of the adverse action to you, except verbal notice may be given by a person in an adverse action involving a business regulated by the Washington utilities and transportation commission or involving an application for the rental or leasing of residential real estate if such verbal notice does not impair your ability to obtain a credit report without charge under RCW 19.182.100(2). The person taking adverse action must also provide you with the name, address, and telephone number of any other consumer reporting agency that furnished the report.~~

~~A consumer reporting agency shall, upon your request, clearly and accurately disclose~~

- All information in your file at the time of request, except that medical information may be withheld. The agency shall inform you of the existence of medical information, and you have the right to have that information disclosed to the health care provider of your choice. Nothing in this chapter prevents, or authorizes a consumer reporting agency to prevent the health care provider from disclosing the medical information to you. You have the right to disclosure of medical information at the time you request disclosure of your file.
- All items of information in its files on you, including disclosure of the sources of the information, except that sources of information acquired solely for use in an investigative report may only be disclosed to a plaintiff under appropriate discovery procedures.
- Identification of each person who for employment purposes within the two-year period before the request, and each person who for any other purpose within the six-month period before the request, procured a consumer report.
- A record identifying all inquiries received by the agency in the six-month period before the request that identified the you in connection with a credit transaction not initiated by you.
- An identification of a person under the rules above must include the name of the person or, if applicable, the trade name under which the person conducts business, and upon your request, the address of the person.

Consumer reporting agencies that provide toll-free telephone numbers must also provide adequately trained personnel to answer basic inquiries from consumers using the toll-free numbers.

If the completeness or accuracy of an item of information contained in your file at a consumer reporting agency is disputed by you and you notify the agency directly of the dispute, the agency shall reinvestigate without charge and record the current status of the disputed information before the end of thirty business days beginning on the date the agency receives the notice.

Before the end of the five business-day period beginning on the date a consumer reporting agency receives notice of a dispute the agency shall notify any person who provided an item of information in dispute.

Notwithstanding the right to dispute information a consumer reporting agency may terminate a reinvestigation of information disputed by you if the agency determines that the dispute is frivolous or irrelevant, including by reason of a failure to provide sufficient information.

Upon making a determination in accordance that a dispute is frivolous or irrelevant a consumer reporting agency shall notify you within five business days of the determination. The notice shall be made in writing or any other means authorized by you that are available to the agency, but the notice shall include the reasons for the determination and a notice of your rights.

In conducting a reinvestigation with respect to disputed information in your file, the consumer reporting agency shall review and consider all relevant information submitted by you in the period described with respect to the disputed information.

If after a reinvestigation the information is found to be inaccurate or cannot be verified, the consumer reporting agency shall promptly delete the information from the consumer's file. If information is deleted the information may not be reinserted unless the person who furnishes the information verifies that the information is complete and accurate.

If information that has been deleted from a consumer's file is reinserted in the file the consumer reporting agency shall notify you of the reinsertion within thirty business days. The notice shall be in writing or any other means authorized by you that are available to the agency.

If the reinvestigation does not resolve the dispute or if the consumer reporting agency determines the dispute is frivolous or irrelevant, you may file a brief statement setting forth the nature of the dispute. The consumer reporting agency may limit these statements to not more than one hundred words if it provides you with assistance in writing a clear summary of the dispute.

After the deletion of information from your file under this section or after the filing of a statement of dispute the consumer reporting agency shall, at your request, furnish notification that the item of information has been deleted or that item of information is disputed. In the case of disputed information, the notification shall include the statement filed by you setting forth the nature of the dispute. The notification shall be furnished to any person specifically designated by you, who has, within two years before the deletion or filing of a dispute, received a consumer report concerning you for employment purposes, or who has, within six months of the deletion or the filing of the dispute, received a consumer report concerning you for any other purpose, if these consumer reports contained the deleted or disputed information.

Upon completion of the reinvestigation under this section, a consumer reporting agency shall provide notice, in writing or by any other means authorized by you, of the results of a reinvestigation within five business days.

The notice required must include:

- A statement that the reinvestigation is completed;
- A consumer report that is based upon the your file as that file is revised as a result of the reinvestigation;
- A description or indication of any changes made in the consumer report as a result of those revisions to your file;
- Upon your request, a description of the procedure used to determine the accuracy and completeness of the information shall be provided to you by the agency, including the name, business address, and telephone number of any person contacted in connection with the information;
- If the reinvestigation does not resolve the dispute, a summary of your right to file a brief statement as provided above section; and
- If information is deleted or disputed after reinvestigation, a summary of your right to request notification to persons who have received a consumer report as provided above.

In the case of a consumer reporting agency that compiles and maintains consumer reports on a nation-wide basis, the consumer reporting agency must provide to you, if you have undertaken to dispute the information contained in your file, a toll-free telephone number that you can use to communicate with the agency. A consumer reporting agency that provides a toll-free number required by this subsection shall also provide adequately trained personnel to answer basic inquiries from consumers using the toll-free number.

Except as authorized no consumer reporting agency may make a consumer report containing any of the following items of information:

- Bankruptcies that, from date of adjudication of the most recent bankruptcy, antedate the report by more than ten years;
- Suits and judgments that, from date of entry, antedate the report by more than seven years or until the governing statute of limitations has expired, whichever is the longer period.

- Paid tax liens that, from date of payment, antedate the report by more than seven years;
- Accounts placed for collection or charged to profit and loss that antedate the report by more than seven years;
- Records of arrest, indictment, or conviction of crime that, from date of disposition, release, or parole, antedate the report by more than seven years;
- Any other adverse item of information that antedates the report by more than seven years.

This section is not applicable in the case of a consumer report to be used in connection with:

- A credit transaction involving, or that may reasonably be expected to involve, a principal amount of fifty thousand dollars or more;
- The underwriting of life insurance involving, or that may reasonably be expected to involve, a face amount of fifty thousand dollars or more; or
- The employment of an individual at an annual salary that equals, or that may reasonably be expected to equal, twenty thousand dollars or more.

You have a right to bring civil action against anyone who willfully or negligently fails to comply with any requirement imposed under the subtitle of Washington state law outlined above.

If you believe a law regulating consumer credit reporting has been violated, you may file a complaint with the Washington State Attorney General's Office, 1125 WASHINGTON ST SE, PO BOX 40100, OLYMPIA WA 98504-0100.

Telephone Number: 360-753-6200.

CONSUMER PROTECTION DIVISION: The Consumer Resource Center Statewide Toll-Free Number: 800-551-9883. Complaints may be made via U.S. Mail or E-Mail at: <http://www.atg.wa.gov/FileAComplaint.aspx> (Include your U.S. Mail address with any complaint.)

If you wish to contact First Advantage please call: 800-321-4473.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

Matthew Dederding	Plaintiff(s),	NO. 15-2-20646-0 SEA ORDER SETTING CIVIL CASE SCHEDULE
vs.		ASSIGNED JUDGE: Robinson, Palmer, Dept. 41
First Advarage LNS Screening Solutions, LLC	Respondent(s)	FILED DATE: 8/24/2015 TRIAL DATE: 8/22/2016 SCOMIS CODE: *ORSCS

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

PRINT NAME

SIGN NAME

L NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] -- especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$240 must be paid when any answer that includes additional claims is filed in an existing case.

KCLCR 4.2(a)(2):

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. The court will review the confirmation of joinder document to determine if a hearing is required. If a Show Cause order is issued, all parties cited in the order must appear before their Chief Civil Judge.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule if the case is subject to mandatory arbitration and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. Any party filing a Statement must pay a \$220 arbitration fee. If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4A.630.020 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

II. CASE SCHEDULE

<input checked="" type="checkbox"/> CASE EVENTS	DATE
Case Filed and Schedule Issued.	8/24/2015
<input checked="" type="checkbox"/> Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR2.1(a) and Notices on page 2]. \$220 Arbitration fee must be paid	2/1/2016
<input checked="" type="checkbox"/> DEADLINE to file Confirmation of Joinder if not subject to Arbitration [See KCLCR 4.2(a) and Notices on page 2]	2/1/2016
DEADLINE for Hearing Motions to Change Case Assignment Area [KCLCR 82(e)]	2/16/2016
DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(b)]	3/21/2016
DEADLINE for Disclosure of Possible Additional Witnesses [KCLCR 26(b)]	5/2/2016
DEADLINE for Jury Demand [See KCLCR 38(b)(2)]	5/16/2016
DEADLINE for Change in Trial Date [See KCLCR 40(e)(2)]	5/16/2016
DEADLINE for Discovery Cutoff [See KCKCR 37(g)]	7/5/2016
DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR16(b)]	7/25/2016
DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)]	8/1/2016
<input checked="" type="checkbox"/> DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(1)]	8/1/2016
DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56;CR56]	8/8/2016
<input checked="" type="checkbox"/> Joint Statement of Evidence [See KCLCR 4(k)]	8/15/2016
DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file proposed Findings of Fact and Conclusion of Law with the Clerk)	8/15/2016
Trial Date [See KCLCR 40]	8/22/2016

The indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.

III. ORDER

Pursuant to King County Local Rule 4 [KCLCR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action must serve this *Order Setting Civil Case Schedule* and attachment on all other parties.



DATED: 8/24/2015

PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER BEFORE CONTACTING YOUR ASSIGNED JUDGE.

This case is assigned to the Superior Court Judge whose name appears in the caption of this case schedule. The assigned Superior Court Judge will preside over and manage this case for all pretrial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

APPLICABLE RULES: Except as specifically modified below, all the provisions of King County Local Civil Rules 4 through 26 shall apply to the processing of civil cases before Superior Court Judges. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

CASE SCHEDULE AND REQUIREMENTS: Deadlines are set by the case schedule, issued pursuant to Local Civil Rule 4.

THE PARTIES ARE RESPONSIBLE FOR KNOWING AND COMPLYING WITH ALL DEADLINES IMPOSED BY THE COURT'S LOCAL CIVIL RULES.

A. Joint Confirmation regarding Trial Readiness Report:

No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g. interpreters, equipment, etc.).

The form is available at <http://www.kingcounty.gov/courts/superiorcourt.aspx>. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff's/petitioner's counsel is responsible for contacting the other parties regarding said report.

B. Settlement/Mediation/ADR

a. Forty five (45) days before the trial date, counsel for plaintiff/petitioner shall submit a written settlement demand. Ten (10) days after receiving plaintiff's/petitioner's written demand, counsel for defendant/respondent shall respond (with a counter offer, if appropriate).

b. Twenty eight (28) days before the trial date, a Settlement/Mediation/ADR conference shall have been held. FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.

C. Trial: Trial is scheduled for 9:00 a.m. on the date on the case schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the King County Superior Court website <http://www.kingcounty.gov/courts/superiorcourt.aspx> to confirm trial judge assignment. Information can also be obtained by calling (206) 205-5984.

MOTIONS PROCEDURES

A. Noting of Motions

Dispositive Motions: All summary judgment or other dispositive motions will be heard with oral argument before the assigned judge. The moving party must arrange with the hearing judge a date and time for the hearing, consistent with the court rules. Local Civil Rule 7 and Local Civil Rule 56 govern procedures for summary judgment or other motions that dispose of the case in whole or in part. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Non-dispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the Note for Motion should state "Without Oral Argument." Local Civil Rule 7 governs these motions, which include discovery motions. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions calendar. Local Civil Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Emergency Motions: Under the court's local civil rules, emergency motions will be allowed only upon entry of an Order Shortening Time. However, emergency discovery disputes may be addressed by telephone call and without written motion, if the judge approves.

B. Original Documents/Working Copies/ Filing of Documents: All original documents must be filed with the Clerk's Office. Please see information on the Clerk's Office website at www.kingcounty.gov/courts/clerk regarding the new requirement outlined in LGR 30 that attorneys must e-file documents in King County Superior Court. The exceptions to the e-filing requirement are also available on the Clerk's Office website.

The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge's working copies must be delivered to his/her courtroom or the Judges' mailroom. Working copies of motions to be heard on the Family Law Motions Calendar should be filed with the Family Law Motions Coordinator. On June 1, 2009 you will be able to submit working copies through the Clerk's office E-Filing application at www.kingcounty.gov/courts/clerk.

Service of documents: E-filed documents may be electronically served on parties who opt in to E-Service within the E-Filing application. The filer must still serve any others who are entitled to service but who have not opted in. E-Service generates a record of service document that can be e-filed. Please see information on the Clerk's office website at www.kingcounty.gov/courts/clerk regarding E-Service.

Original Proposed Order: Each of the parties must include an original proposed order granting requested relief with the working copy materials submitted on any motion. Do not file the original of the proposed order with the Clerk of the Court. Should any party desire a copy of the order as signed and filed by the judge, a pre-addressed, stamped envelope shall accompany the proposed order.

Presentation of Orders: All orders, agreed or otherwise, must be presented to the assigned judge. If that judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the assigned judge or in the Ex Parte Department. Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. If final order and/or formal proof are entered in the Ex Parte Department, counsel is responsible for providing the assigned judge with a copy.

C. Form

Memoranda/briefs for matters heard by the assigned judge may not exceed twenty four (24) pages for dispositive motions and twelve (12) pages for non-dispositive motions, unless the assigned judge permits over-length memoranda/briefs in advance of filing. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PEITITONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.



PRESIDING JUDGE